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OFFICE OF PETITIONS

In re Patent No. 7,381,729  
Pahl et al.  
Issue Date: June 3, 2008  
Application No. 10/828,650  
Filed: April 21, 2004  
Attorney Docket No. 04266864  
Title: 4-(4-Trans-hydroxycyclohexyl) Amino-2-Phenyl-7H-Pyrrolo[2,3D]Pyrimidine Hydrogen Mesylate, Its Polymorphic forms, and methods for making same

: DECISION UPON REMAND AND  
: RECONSIDERATION OF  
: PATENT TERM ADJUSTMENT  
: AND NOTICE OF INTENT  
: TO ISSUE CERTIFICATE OF  
: CORRECTION  
:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by six hundred thirty-three (633) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by nine hundred thirty-three (633) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

Patent No. 7,381,729  
/Kery A. Fries/

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Kery A. Fries  
Senior Legal Advisor Attorney  
Office of Patent Legal Administration  
Office of Associate Commissioner  
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

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UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT : 7,381,729 B2

DATED : June 3, 2008

DRAFT

INVENTOR(S) : Pahl et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[\*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 534 days

Delete the phrase "by 534 days" and insert – by 633 days--

Day : Tuesday  
Date: 5/18/2010

Time: 12:40:36

**PALM INTRANET****PTA Calculations for Application: 10/828650**

Application Filing Date:	04/21/2004	PTO Delay (PTO):	534
Issue Date of Patent:	06/03/2008	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	0
Post-Issue Petitions:	0	Total PTA (days):	633
PTO Delay Adjustment:	99		

**File Contents History**

Number	Date	Contents Description	PTO	APPL	START
90	05/18/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	99		
71.5	05/14/2008	PTA 36 MONTHS			
71	06/03/2008	PATENT ISSUE DATE USED IN PTA CALCULATION	57		61
70	04/30/2008	EXPORT TO FINAL DATA CAPTURE			
69	04/29/2008	DISPATCH TO FDC			
68	04/25/2008	MAIL-PETITION DECISION - DISMISSED			
67	04/25/2008	PETITION DECISION - DISMISSED			
66	03/31/2008	MAIL-PETITION DECISION - DISMISSED			
65	03/31/2008	PETITION DECISION - DISMISSED			
64	12/07/2007	PETITION ENTERED			
62	12/20/2007	APPLICATION IS CONSIDERED READY FOR ISSUE			
61	12/07/2007	ISSUE FEE PAYMENT VERIFIED			
60	12/10/2007	PETITION ENTERED			
59	12/07/2007	ISSUE FEE PAYMENT RECEIVED			
58	09/17/2007	EXPORT TO INITIAL DATA CAPTURE			
57	09/10/2007	MAIL NOTICE OF ALLOWANCE			
56	09/06/2007	ISSUE REVISION COMPLETED			
55	09/06/2007	DOCUMENT VERIFICATION			
54	09/04/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
53	09/04/2007	NOTICE OF ALLOWABILITY			
51	07/30/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
50	07/30/2007	ELECTRONIC INFORMATION DISCLOSURE STATEMENT			

49	08/17/2007	DATE FORWARDED TO EXAMINER			
48	07/30/2007	REQUEST FOR CONTINUED EXAMINATION (RCE)			
47	08/17/2007	DISPOSAL FOR A RCE / CPA / R129			
46	07/30/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
45	07/30/2007	WORKFLOW - REQUEST FOR RCE - BEGIN			
44	06/08/2007	FINISHED INITIAL DATA CAPTURE			
43	05/14/2007	EXPORT TO INITIAL DATA CAPTURE			
42	05/09/2007	MAIL NOTICE OF ALLOWANCE			
41	05/07/2007	ISSUE REVISION COMPLETED			
40	05/07/2007	DOCUMENT VERIFICATION			
39	05/07/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
38	05/07/2007	NOTICE OF ALLOWABILITY			
37	04/26/2007	DATE FORWARDED TO EXAMINER			
36	04/16/2007	AMENDMENT AFTER FINAL REJECTION			
35	03/22/2007	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)			
34	03/19/2007	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
33	02/22/2007	MAIL FINAL REJECTION (PTOL - 326)			
32	02/16/2007	FINAL REJECTION			
31	01/11/2007	DATE FORWARDED TO EXAMINER			
30	01/05/2007	RESPONSE AFTER NON-FINAL ACTION			
29	10/11/2006	MAIL NON-FINAL REJECTION	477		-1
28	09/29/2006	NON-FINAL REJECTION			
27	07/07/2006	CASE DOCKETED TO EXAMINER IN GAU			
26	06/14/2006	CASE DOCKETED TO EXAMINER IN GAU			
25	11/03/2005	CORRESPONDENCE ADDRESS CHANGE			
24	10/28/2005	CORRESPONDENCE ADDRESS CHANGE			
23	11/11/2004	CORRESPONDENCE ADDRESS CHANGE			
22	11/02/2004	CASE DOCKETED TO EXAMINER IN GAU			
21	11/02/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
20	08/27/2004	APPLICATION RETURN FROM OIPE			
19	08/27/2004	APPLICATION IS NOW COMPLETE			
18	08/27/2004	PRE-EXAM OFFICE ACTION WITHDRAWN			
17	08/27/2004	APPLICATION RETURN TO OIPE			

16	08/27/2004	APPLICATION RETURN FROM OIPE		
15	08/27/2004	APPLICATION RETURN TO OIPE		
14	08/27/2004	APPLICATION RETURN FROM OIPE		
13	08/27/2004	APPLICATION IS NOW COMPLETE		
12	08/06/2004	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC		
11	08/27/2004	PRE-EXAM OFFICE ACTION WITHDRAWN		
10	08/27/2004	APPLICATION RETURN TO OIPE		
9	08/27/2004	APPLICATION DISPATCHED FROM OIPE		
8	08/27/2004	APPLICATION IS NOW COMPLETE		
7	08/06/2004	ADDITIONAL APPLICATION FILING FEES		
5	07/01/2004	NOTICE MAILED--APPLICATION INCOMPLETE-- FILING DATE ASSIGNED		
4	05/20/2004	CLEARED BY OIPE CSR		
3	05/20/2004	CASE CLASSIFIED BY OIPE		
2	04/28/2004	IFW SCAN & PACR AUTO SECURITY REVIEW		
1	04/21/2004	INITIAL EXAM TEAM NN		

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#### **EXPLANATION OF PTA CALCULATION**

#### **EXPLANATION OF PTE CALCULATION**

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